

NEUFELD MARKS
A PROFESSIONAL CORPORATION
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2 **NEUFELD MARKS**
A Professional Corporation
3 250 E. 1st Street, Suite 1101
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4 Telephone: (213) 625-2625
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5 Attorneys for Defendants
6 L.A. Little Tokyo, LP,
Hankook BBQ House, Inc. and
7 Geon J. Kim

8
9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

11 ALEJANDRO DIAZ,
12 Plaintiff,

13 vs.

14 L.A. LITTLE TOKYO, LP;
15 HANKOOK BBQ HOUSE, INC.;
16 GEON J. KIM; and DOES 1-10,
17 Defendants.

Case No.

**NOTICE OF REMOVAL OF
ACTION UNDER 28 U.S.C. § 1441(a)**

Los Angeles Superior Court
Case No. 23STLC01756

18
19 The defendants, L.A. Little Tokyo, LP, Hankook BBQ House, Inc., and
20 Geon J. Kim (collectively, “Defendants”), hereby give Notice of Removal of this
21 action to the United States District Court for the Central District of California,
22 Western Division, and state as follows.

23 1. On March 15, 2023, plaintiff Alejandro Diaz (“Plaintiff”) filed a
24 Complaint in the Superior Court of California, County of Los Angeles, Case
25 No. 23STLC01756 (“State Court Action”).

26 2. Defendants were served with a copy of the Complaint on March 27,
27 2023. Attached as Exhibit A are true and correct copies of all process, pleadings,
28 and orders served upon Defendant in the State Court Action. Defendants’ response

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1 is not yet due, and Defendants have not yet responded to the Complaint. There are
2 no other named defendants.

3 3. Defendants are entitled to remove the State Court Action to this Court
4 because this Court has original jurisdiction over Plaintiff's claim in the Complaint
5 which asserts alleged violations of the Americans with Disabilities Act, 42 U.S.C.
6 § 12101 *et seq.*

7 4. This Notice of Removal is timely and proper pursuant to 28 U.S.C.
8 § 1446(b) because it is being filed within 30 days after receipt by Defendants of a
9 copy of the Complaint in the State Court Action. The Complaint is the document
10 from which Defendants first ascertained that the case is one which is removable.

11 5. In compliance with 28 U.S.C. § 1446(d), Defendants will provide
12 written notice of the filing of this Notice of Removal to all adverse parties and file a
13 copy with the clerk of the court in the State Court Action.

14 6. The undersigned counsel for Defendants has read the foregoing and
15 signs the Notice of Removal pursuant to Rule 11 of the Federal Rules of Civil
16 Procedure, as required by 28 U.S.C. § 1446(a).

17 Defendants respectfully request that this action be removed from the Superior
18 Court of California for the County of Los Angeles, to the United States District
19 Court for the Central District of California.

20
21 DATED: April 20, 2023

NEUFELD MARKS
A Professional Corporation

22
23
24 By: 

25 Yuri M. Shikai
26 Attorneys for Defendants
27 L.A. Little Tokyo, LP,
28 Hankook BBQ House, Inc. and
Geon J. Kim

INDEX FOR EXHIBIT A

<u>Exhibit</u>	<u>Document</u>
A-1	Summons for Los Angeles Superior Court Case No. 23STLC01756 (“State Court Action”) dated March 15, 2023
A-2	Complaint for State Court Action dated March 15, 2023
A-3	Notice of Case Assignment – Limited Civil Case dated March 15, 2023
A-4	Important Advisory Information for Building Owners and Tenants (Disability Access Litigation)
A-5	Los Angeles Superior Court Third Amended Standing Order dated February 24, 2020
A-6	Notice of Availability of Limited Civil Jurisdiction Web Portal for Interpreter Requests dated August 5, 2016
A-7	Advisory Notice to Defendant
A-8	Judicial Council Form: Defendant’s Application for Stay of Proceedings
A-9	Judicial Council Form: Answer – Disability Access

SUM-100

**SUMMONS
(CITACION JUDICIAL)****NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

L.A. LITTLE TOKYO, LP; HANKOOK BBQ HOUSE, INC.; GEON J. KIM; and DOES 1-10

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

ALEJANDRO DIAZ

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Superior Court of California for the
County of Los Angeles
111 N. Hill St., Los Angeles, CA 90012

CASE NUMBER:
(Número del Caso):

23STLC01756

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Morse Mehrban; 15720 Ventura Blvd., Suite 306, Encino, CA 91436; 424-274-1237

David W. Slayton, Executive Officer/Clerk of Court

DATE: 03/15/2023
(Fecha)

Clerk, by

(Secretario)

F. Ochoa

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

(SEAL)

**NOTICE TO THE PERSON SERVED: You are served**

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):

- ☒ on behalf of (specify): L.A. LITTLE TOKYO, LP

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☒ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)

☐ other (specify):

- ☐ by personal delivery on (date):

Page 1 of 1

Electronically FILED by Superior Court of California, County of Los Angeles on 03/15/2023 at 4:48 PM by David W. Slayton, Executive Officer/Clerk of Court, by F. Ochoa, Deputy Clerk
Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: Mark Windham

Morse Mehrban (State Bar No. 169082)
Attorney at Law
15720 Ventura Blvd., Suite 306
Encino, CA 91436
Telephone: 424-274-1237
Email: Morse@Mehrban.com
Attorney for Plaintiff,
ALEJANDRO DIAZ

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
CENTRAL DISTRICT, LIMITED CIVIL CASE

ALEJANDRO DIAZ,
Plaintiff,

v.

L.A. LITTLE TOKYO, LP; HANKOOK BBQ
HOUSE, INC.; GEON J. KIM; and DOES 1 -
10,
Defendants.

Case No. **23STLC01756**

[Prayer does not exceed \$10,000]

COMPLAINT FOR DAMAGES

[ACTION SUBJECT TO THE
SUPPLEMENTAL FEE IN GOVERNMENT
CODE SECTION 70616.5]

**PLAINTIFF'S FIRST CAUSE OF ACTION AGAINST ALL DEFENDANTS FOR
VIOLATION OF THE UNRUH CIVIL RIGHTS ACT (CIVIL CODE SECTION 51)**

1. Plaintiff is ignorant of the true names or capacities of those sued herein under the fictitious names DOES ONE through TEN and sues them herein pursuant to Code of Civil Procedure section 474.
2. At all times mentioned herein, ALEJANDRO DIAZ ("Plaintiff") has been unable to walk and confined to a wheelchair.
3. On information and belief, at all times mentioned herein, HANKOOK BBQ HOUSE, INC.; GEON J. KIM; and DOES 1 - 5 have operated a restaurant at 123 Astronaut Ellison S. Onizuka St., Unit 302, Los Angeles, CA 90012.
4. On information and belief, at all times mentioned herein, L.A. LITTLE TOKYO, LP and DOES 6 - 10 have been owners and lessors of the real property occupied by said public accommodation at said location.

- 1 5. On or about January 22, 2022, Plaintiff experienced difficulty at said public accommodation.
2 Plaintiff had difficulty dining at the public accommodation because the outdoor dining tables
3 were not wheelchair-accessible.
- 4 6. Removing said architectural barrier by providing a wheelchair-accessible dining table is
5 readily achievable (easily accomplishable and able to be carried out without much difficulty
6 or expense). On information and belief, it would take less than an hour and cost less than
7 \$500 to accomplish this. On information and belief, each Defendant's annual income exceeds
8 \$100,000.
- 9 7. By violating 42 U.S.C. § 12182 and 28 C.F.R. § 36.304, Defendants violated Civil Code
10 section 51.
- 11 8. Plaintiff is a high-frequency litigant. During the 12 months prior to this complaint's filing,
12 Plaintiff filed 99 complaints alleging a construction-related accessibility claim. Plaintiff was
13 in the geographic area of Defendants' public accommodation to shop. Plaintiff accessed
14 Defendants' public accommodation to get something to eat.

15 **PRAYER**

16 Pursuant to Civil Code section 52(a), Plaintiff prays for damages in the amount of \$4,000,
17 reasonable attorney fees, and costs.

18 Dated: March 15, 2023

M. Mehrban

19 _____
20 Morse Mehrban
21 Attorney for Plaintiff,
22 ALEJANDRO DIAZ

23 I am a party to this action, and I have read the foregoing complaint and know its contents.
24 The matters stated therein are true based on my own knowledge, except as to those matters stated on
25 information and belief, and as to those matters, I believe them to be true. I declare under penalty of
perjury under the laws of the State of California that the foregoing is true and correct.

Dated: March 15, 2023

Alex Diaz
Alex Diaz (Mar 15, 2023 12:02 PDT)

ALEJANDRO DIAZ

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 03/15/2023 David W. Slayton, Executive Officer / Clerk of Court By: <u>F. Ochoa</u> Deputy
PLAINTIFF(S): Alejandro Diaz		
DEFENDANT(S): L.A. Little Tokyo, LP, et al.		
NOTICE OF CASE ASSIGNMENT – LIMITED CIVIL CASE		CASE NUMBER: 23STLC01756

Case is assigned for all purposes to the judicial officer indicated below. Notice given to Plaintiff / Cross-Complainant / Attorney of Record on 03/15/2023.

ASSIGNED JUDGE	DEPARTMENT	ROOM
Mark E. Windham	26	

David W. Slayton, Executive Officer / Clerk of Court

By F. Ochoa, Deputy Clerk

Instructions for Handling Limited Civil Cases

The following critical provisions, as applicable in the Los Angeles Superior Court are cited for your information.

PRIORITY OVER OTHER RULES: The priority of Chapter Seven of the LASC Local Rules over other inconsistent Local Rules is set forth in Rule 7.2© thereof.

CHALLENGE TO ASSIGNED JUDGE: To the extent set forth therein, Government Code section 68616(i) and Local Rule 2.5 control the timing of Code of Civil Procedure section 170.6 challenges.

TIME STANDARDS: The time standards may be extended by the court only upon a showing of good cause. (Cal. Rules of Court, rule 3.110.) Failure to meet time standards may result in the imposition of sanctions. (Local Rule 3.37.)

Except for collections cases pursuant to California Rules of Court, rule 3.740, cases assigned to the Individual Calendar Court will be subject to processing under the following time standards:

COMPLAINTS: All complaints shall be served and the proof of service filed within 60 days after filing of the complaint.

CROSS-COMPLAINTS: Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints against parties new to the action must be served and the proof of service filed within 30 days after the filing of the cross-complaint. A cross-complaint against a party who has already appeared in the action must be accompanied by proof of service of the cross-complaint at the time it is filed. (Code Civ. Proc., § 428.50.)

DEFAULTS (Local Rule 9.10): If a responsive pleading is not served within the time to respond and no extension of time has been granted, the plaintiff must file a Request for Entry of Default within 10 days after the time for service has elapsed. Failure to timely file the Request for Entry of Default may result in an Order to Show Cause being issued as to why sanctions should not be imposed. The plaintiff must request default judgment on the defaulting defendants within 40 days after entry of default.

NOTICED MOTIONS: All regularly noticed motions will be calendared through the assigned department. Each motion date must be separately reserved and filed with appropriate fees for each motion. Motions for Summary Judgment must be identified at the time of reservations. All motions should be filed in the clerk's office.

EX PARTE MATTERS: All ex parte applications should be noticed for the courtroom.

UNINSURED MOTORISTS CLAIMS: Delay Reduction Rules do not apply to uninsured motorist claims. The plaintiff must file a Notice of Designation with the Court identifying the case as an uninsured motorist claim under Insurance Code section 11580.2.

NOTICE OF CASE ASSIGNMENT – LIMITED CIVIL CASE

LACIV ____ 001 (Rev. [03/17])

LASC Approved 09-04

STATE LAW REQUIRES THAT YOU GET THIS IMPORTANT ADVISORY INFORMATION FOR BUILDING OWNERS AND TENANTS

This information is available in English, Spanish, Chinese, Vietnamese, and Korean through the Judicial Council of California. People with visual impairments can get assistance in viewing this form through the judicial branch website, at www.courts.ca.gov.

California law requires that you receive this information because the demand letter or court complaint you received with this document claims that your building or property does not comply with one or more existing construction-related accessibility laws or regulations protecting the civil rights of people with disabilities to access public places.

YOU HAVE IMPORTANT LEGAL OBLIGATIONS. Compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open for business to the public. You may obtain information about your legal obligations and how to comply with disability access laws through the Division of the State Architect, at www.dgs.ca.gov/dsa. Information is also available from the California Commission on Disability Access at www.cdda.ca.guide.htm.

YOU HAVE IMPORTANT LEGAL RIGHTS. The allegations made in the accompanying demand letter or court complaint do not mean that you are required to pay any money unless and until a court finds you liable. Moreover, RECEIPT OF A DEMAND LETTER OR COURT COMPLAINT AND THIS ADVISORY DOES NOT NECESSARILY MEAN YOU WILL BE FOUND LIABLE FOR ANYTHING. You will have the right if you are later sued to fully present an explanation of why you believe you have not in fact violated disability access laws or have corrected the violation or violations giving rise to the claim.

You have the right to seek assistance or advice about this demand letter or court complaint from any person of your choice. If you have insurance, you may also wish to contact your insurance provider. Your best interest may be served by seeking legal advice or representation from an attorney, but you may also represent yourself and file the necessary court papers to protect your interests if you are served with a court complaint. If you have hired an attorney to represent you, you should immediately notify your attorney.

If a court complaint has been served on you, you will get a separate advisory notice with the complaint advising you of special options and procedures available to you under certain conditions.

ADDITIONAL THINGS YOU SHOULD KNOW: ATTORNEY MISCONDUCT. Except for limited circumstances, state law generally requires that a prelitigation demand letter from an attorney MAY NOT MAKE A REQUEST OR DEMAND FOR MONEY OR AN OFFER OR AGREEMENT TO ACCEPT MONEY. Moreover, a demand letter from an attorney MUST INCLUDE THE ATTORNEY'S STATE BAR LICENSE NUMBER.

If you believe the attorney who provided you with this notice and prelitigation demand letter is not complying with state law, you may send a copy of the demand letter you received from the attorney to the State Bar of California by facsimile transmission to 1-415-538-2171, or by mail to the State Bar of California, 180 Howard Street, San Francisco, CA 94105, Attention: Professional Competence.

**STATE LAW REQUIRES THAT YOU GET THIS IMPORTANT
ADVISORY INFORMATION FOR BUILDING OWNERS AND TENANTS**

REDUCING YOUR DAMAGES. If you are a small business owner and correct all of the construction-related violations that are the basis of the complaint against you within 30 days of being served with the complaint, you may qualify for reduced damages. You may wish to consult an attorney to obtain legal advice. You may also wish to contact the California Commission on Disability Access for additional information about the rights and obligations of business owners.

COMMERCIAL TENANT. If you are a commercial tenant, you may not be responsible for ensuring that some or all portions of the premises you lease for your business, including common areas such as parking lots, are accessible to the public because those areas may be the responsibility of your landlord. You may want to refer to your lease agreement and consult with an attorney or contact your landlord, to determine if your landlord is responsible for maintaining and improving some or all of the areas you lease.

2020-SJ-005-00

FILED
Superior Court of California
County of Los Angeles

FEB 24 2020

Sherril R. Carter, Executive Officer/Clerk
By [Signature] Deputy
Corina Alcaraz

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

In re Civil Limited Jurisdiction Cases) **THIRD AMENDED STANDING ORDER**
Calendared in Departments 25 & 26 (Non-) (Effective as of February 24, 2020)
Collection Cases) at the Spring Street)
Courthouse)

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:

Pursuant to the California Code of Civil Procedure (C.C.P.), the California Rules of Court (C.R.C.), and the Los Angeles County Court Rules (Local Rules), the Los Angeles Superior Court (LASC or Court) HEREBY AMENDS AND SUPERSEDES THE NOVEMBER 13, 2019, SECOND AMENDED STANDING ORDER, AND THE COURT HEREBY ISSUES THE FOLLOWING STANDING ORDER THAT SHALL APPLY TO ALL LIMITED CIVIL (NON-COLLECTION) CASES FILED AND/OR HEARD IN DEPARTMENTS 25 & 26.

1. PLAINTIFF(S) IS/ARE ORDERED TO SERVE A COPY OF THIS STANDING ORDER ON THE DEFENDANT(S) WITH COPIES OF THE SUMMONS AND COMPLAINT AND TO FILE PROOF OF SERVICE, AS MANDATED IN THIS ORDER.

2. The Court sets the following trial date in this case at the Spring Street Courthouse in the Limited Jurisdiction Department as reflected in the *Notice of Case Assignment*:

TRIAL:

Date: 09/11/2024 at 8:30 a.m.

SERVICE OF SUMMONS AND COMPLAINT

3. The trial date set forth above is conditioned on the defendant(s) being served with the summons and complaint within six (6) months of the filing of the complaint. The trial date may be continued to a later date if service is not accomplished within six months. The parties may stipulate to keep the original trial date even if service of the summons and complaint is not completed within six months of the filing of the original complaint.

4. The summons and complaint shall be served upon the defendant(s) within three years after the complaint is filed in this action. (C.C.P., § 583.210, subd. (a).) Failure to comply will result in dismissal, without prejudice, of the action, as to all unserved parties who have not been dismissed as of that date. (C.C.P., § 581, subd. (g).) The dismissal without prejudice as to the unserved parties for this case shall be effective on the following date:

UNSERVED PARTIES DISMISSAL DATE

03/18/2026

5. No case management, mandatory settlement or final status conferences will be conducted in this case.

LAW AND MOTION

All regularly noticed pretrial motions will be heard in the courtroom the case is assigned to on Mondays, Tuesdays, Wednesdays, and Thursdays at 10:30 a.m. A motion will be heard only if a party reserves a hearing date by going to the court's website at www.lacourt.org and reserving it through the Court Reservation System accessed via the "Divisions" tab at the top of the webpage, and by selecting "Civil". All motions should be filed at the filing window on the first floor of the Stanley Mosk Courthouse and filed and served in accordance with C.C.P., § 1005, subd. (b), and all other relevant statutes.

///

7. Ex parte applications must be noticed for 1:30 p.m. in the courtroom the case is assigned to and filed and served in accordance with C.R.C., rules 3.1201-3.1207. All electronic filers must submit the application and fees by 10:00 a.m. the day before the ex parte hearing. Any ex parte applications exempt from electronically filing, must be submitted by 11:00 a.m. the day of the hearing, at the filing window on the first floor of the Stanley Mosk Courthouse.

8. The fees for jury trial shall be due no later than 365 calendar days after the filing of the initial complaint or as otherwise provided by C.C.P., § 631, subds. (c)(2).

9. A trial will be postponed if all attorneys of record and/or the parties who have appeared in the action stipulate in writing to a specific continued date. If the stipulation is filed less than five (5) court days before the scheduled trial date, then a courtesy copy of the stipulation must be provided to the assigned courtroom. A proposed order shall be lodged along with the stipulation.

10. Parties are to appear on the trial date ready to go to trial and must meet and confer on all pretrial matters at least 20 calendar days before the trial date. On the date of trial, the parties shall bring with them to the courtroom where the case is assigned a three-ring binder with a table of contents containing conformed copies of each of the following documents behind a separate tab.

- 1) Printed copies of the current operative pleadings (including the operative complaint; answer; cross-complaint, if any; and answer to cross-complaint);
- 2) Motions in Limine, if any, which must be served and filed in accordance with the Local Rules, rule 3.57;
- 3) Joint Statement of the Case (if a jury trial);

- 4) Joint Witness List disclosing an offer of proof regarding the testimony of each witness, the time expected for testimony of each witness, the total time expected for all witnesses, and the need, if any, for an interpreter;
- 5) Joint Exhibit List;
- 6) Printed and edited Joint Proposed Jury Instructions (if a jury trial), and
- 7) Printed Joint Proposed Verdict Form(s) (if a jury trial).

The parties shall also bring a second binder containing the Joint Exhibits in an Exhibit Book numbered appropriately.

FAILURE TO PROVIDE ANY OF THE AFOREMENTIONED DOCUMENTS ON THE TRIAL DATE MAY CAUSE A DELAY IN THE CASE BEING ASSIGNED TO A TRIAL COURT.

GOOD CAUSE APPEARING THEREFOR, IT IS ORDERED.

Dated: Feb. 24, 2020



SAMANTHA P. JESSNER
Supervising Judge, Civil

Notice of Availability of Limited Civil Jurisdiction Web Portal for Interpreter Requests

The Los Angeles Superior Court provides Interpreter services at no cost to parties with limited English proficiency in Limited Civil jurisdiction hearings. Spanish interpreters are available at all courthouse locations. Therefore, it is not necessary to request a Spanish language interpreter in advance. If you require a Spanish interpreter, please let the courtroom staff know about your need on the day of your hearing. Limited English proficient individuals who speak a language other than Spanish may request an interpreter in advance of their court hearing via the Court's Web Portal for Interpreter Requests <http://www.lacourt.org/irud/UI/index.aspx>. While the Court will make every effort to locate an interpreter for the date and time of your hearing, it cannot guarantee that one will be immediately available. If you have general questions about language access services, please contact us at LanguageAccess@LACOURT.org.

**Մանուցագիր սահմանափակ իրավասության քաղաքացիական գործերով թարգմանչական ծառայության խնդրանք
ներկայացնելու համար նախատեսված առցանց դարպասի առկայության մասին**

Լոս Անջելեսի Առաջին ատյանի դատարանն անվճար թարգմանչական ծառայություններ է տրամադրում սահմանափակ իրավասության քաղաքացիական վարույթների՝ անգլերենի սահմանափակ իմացություն ունեցող կողմերին: Իսպաներենի թարգմանչի առկայությունը բոլոր դատարաններում ապահովված է: Ուստի, իսպաներենի թարգմանչի հայտ նախօրոք ներկայացնել անհրաժեշտ չէ: Եթե իսպաներենի թարգմանչի կարիք ունեք, ապա խնդրում ենք այդ մասին Ձեր լսման օրը տեղեկացնել դատարանի դահլիճի անձնակազմին: Անգլերենի սահմանափակ իմացություն ունեցող անձինք, ովքեր խոսում են իսպաներենից բացի այլ մեկ այլ լեզվով, կարող են թարգմանչի խնդրանք ներկայացնել նախօրոք՝ նախքան իրենց լսման օրը, Դատարանի՝ Թարգմանչական ծառայության խնդրանքների համար նախատեսված առցանց դարպասի միջոցով <http://www.lacourt.org/irud/UI/index.aspx>: Թեև դատարանն ամեն ինչ կանի Ձեր լսման օրն ու ժամին թարգմանչի ներկայություն ապահովելու համար, սակայն դատարանը չի երաշխավորում, որ նման ներկայություն անմիջապես հնարավոր կլինի ապահովել: Լեզվական մատչելիության ծառայությունների վերաբերյալ հարցերով խնդրում ենք դիմել LanguageAccess@LACOURT.org:

关于小额索赔传译员申请门户的可用性通知

在小额索赔庭审中，洛杉矶高等法院为英语能力有限的各方人士提供免费传译员服务。在举行小额索赔庭审的所有法庭中，均有现成的西班牙语传译员。如果您需要西班牙语传译员，请在您的庭审当日将您的需求告知法庭工作人员。在庭审前，英语能力有限的非西班牙语人士可通过法院的传译员申请网络门户 <http://www.lacourt.org/irud/UI/index.aspx> 提前申请传译员。法院会尽力按您的庭审日期和时间安排传译员，但法院无法保证能够即时提供传译员。如果您有关于语言服务的疑问，请联系 LanguageAccess@LACourt.org。

통역사 신청을 위한 소액 청구 웹 포털 이용 통지

로스앤젤레스 상급법원은 소액 청구 심리에서 영어가 능숙하지 않은 당사자들에 대해 통역 서비스를 무료로 제공합니다. 스페인어 통역사는 소액 청구 심리가 열리는 모든 법정에서 손쉽게 제공할 수 있습니다. 스페인어 통역사가 필요한 경우에는 심리가 열리는 날에 법정 직원에게 알려 주십시오. 스페인어가 아닌 다른 언어를 사용하고 영어가 능숙하지 않은 개인들은 통역사 신청을 위한 법원 웹 포털을 통해서 재판일 전에 통역사를 신청할 수 있습니다 <http://www.lacourt.org/irud/UI/index.aspx>. 법원은 심리 날짜와 시간에 통역사를 찾기 위해 모든 노력을 기울일 것이나, 통역사를 즉시 제공한다는 것을 보장할 수 없습니다. 언어 접근 서비스에 대한 질문이 있으시면, 다음의 이메일 주소로 연락해 주십시오: LanguageAccess@LACourt.org.

Aviso de disponibilidad del Portal web para jurisdicción limitada civil para solicitar intérpretes

La corte superior de Los Ángeles brinda servicios de intérprete sin cargo para audiencias de jurisdicción limitada civil a las partes que tienen conocimientos limitados de inglés. Se dispone de intérpretes de español en todos los juzgados. Por lo tanto, no es necesario pedir un intérprete de español por adelantado. Si necesita un intérprete de español, infórmele al personal de la sala del juzgado el día de su audiencia. Los individuos con conocimientos limitados de inglés que hablan un idioma que no sea el español pueden solicitar un intérprete antes de la audiencia en la corte por medio del Portal web de la corte para solicitar intérpretes <http://www.lacourt.org/irud/UI/index.aspx>. La corte hará el mayor esfuerzo posible para programar un intérprete para la fecha y hora de su audiencia; sin embargo, no le podemos garantizar de que haya uno disponible en forma inmediata. Si tiene preguntas generales sobre los servicios de acceso lingüístico, envíe un mensaje a LanguageAccess@LACourt.org.

Thông Báo về Cổng Web Thẩm Quyền Hộ Sự Giới Hạn để Xin Cung Cấp Thông Dịch Viên

Tòa Thượng Thẩm Los Angeles cung cấp dịch vụ thông dịch viên miễn phí cho những bên kiện có khả năng Anh Ngữ giới hạn trong những phiên tòa có thẩm quyền Hộ Sự Giới Hạn. Có sẵn thông dịch viên tiếng Tây Ban Nha tại tất cả các tòa. Do đó, không cần phải xin cung cấp thông dịch viên tiếng Tây Ban Nha trước. Nếu quý vị cần thông dịch viên tiếng Tây Ban Nha, xin cho nhân viên phòng xử biết về nhu cầu của quý vị vào ngày quý vị ra tòa. Người có khả năng Anh Ngữ giới hạn và nói một ngôn ngữ không phải tiếng Tây Ban Nha có thể xin cung cấp thông dịch viên trước ngày có phiên tòa của họ qua Cổng Web của Tòa cho Các Yêu Cầu Cung Cấp Thông Dịch Viên <http://www.lacourt.org/irud/UI/index.aspx>. Tuy tòa sẽ nỗ lực để tìm một thông dịch viên cho ngày giờ phiên tòa của quý vị, tòa không thể bảo đảm sẽ có ngay. Nếu quý vị có thắc mắc tổng quát về các dịch vụ ngôn ngữ, xin liên lạc với chúng tôi tại LanguageAccess@LACOURT.org.

August 5, 2016

ADVISORY NOTICE TO DEFENDANT

YOU MAY BE ENTITLED TO ASK FOR A COURT STAY (AN ORDER TEMPORARILY STOPPING ANY LAWSUIT) AND EARLY EVALUATION CONFERENCE IN THIS LAWSUIT AND MAY BE ASSESSED REDUCED STATUTORY DAMAGES IF YOU MEET CERTAIN CONDITIONS.

If the construction-related accessibility claim pertains to a site that has a Certified Access Specialist (CAsp) inspection report for that site, or to a site where new construction or improvement was approved after January 1, 2008, by the local building permit and inspection process, you may make an immediate request for a court stay and early evaluation conference in the construction-related accessibility claim by filing the attached application form with the court. You may be entitled to the court stay and early evaluation conference regarding the accessibility claim only if ALL of the statements in the application form applicable to you are true.

FURTHER, if you are a defendant described above (with a CAsp inspection report or with new construction after January 1, 2008), and, to the best of your knowledge, there have been no modifications or alterations completed or commenced since the CAsp report or building department approval of the new construction or improvement that impacted compliance with construction-related accessibility standards with respect to the plaintiff's claim, your liability for minimum statutory damages may be reduced to \$1,000 for each offense, unless the violation was intentional, and if all construction-related accessibility violations giving rise to the claim are corrected within 60 days of being served with this complaint.

ALSO, if your business has been served with a complaint filed by a high-frequency litigant, as defined in subdivision (b) of Section 425.55 of the Code of Civil Procedure, asserting a construction-related accessibility claim, including, but not limited to, a claim brought under Section 51, 54, 54.1, or 55 of the Civil Code, you may also be entitled to a court stay and an early evaluation conference. If you choose to request a stay and early evaluation conference, you may also request to meet in person with the plaintiff and counsel for both parties, as well as experts if the parties so elect, at the subject premises no later than 30 days after issuance of the court order to jointly inspect the portions of the subject premises and review any conditions that are claimed to constitute a violation of a construction-related accessibility standard.

IN ADDITION, if your business is a small business that, over the previous three years, or the existence of the business if less than three years, employs 25 or fewer employees on average over that time period and meets specified gross receipts criteria, you may also be entitled to the court stay and early evaluation conference and your minimum statutory damages for each claim may be reduced to \$2,000 for each offense, unless the violation was intentional, and if all the alleged construction-related accessibility violations are corrected within 30 days of being served with the complaint.

If you plan to correct the violations giving rise to the claim, you should take pictures and measurements or similar action to document the condition of the physical barrier asserted to be the basis for a violation before undertaking any corrective action in case a court needs to see the condition of a barrier before it was corrected.

The court will schedule the conference to be held within 70 days after you file the attached application form.

The court will also issue an immediate stay of the proceedings unless the plaintiff has obtained a temporary restraining order in the construction-related accessibility claim. You may obtain a copy of the application form, filing instructions, and additional information about the stay and early evaluation conference through the Judicial Council Internet Web site at www.courts.ca.gov/selfhelp-start.htm.

You may file the application after you are served with a summons and complaint, but no later than your first court pleading or appearance in this case, which is due within 30 days after you receive the summons and complaint. If you do not file the application, you will still need to file your reply to the lawsuit within 30 days after you receive the summons and complaint to contest it. You may obtain more information about how to represent yourself and how to file a reply without hiring an attorney at www.courts.ca.gov/selfhelp-start.htm.

You may file the application without the assistance of an attorney, but it may be in your best interest to immediately seek the assistance of an attorney experienced in disability access laws when you receive a summons and complaint. You may make an offer to settle the case, and it may be in your interest to put that offer in writing so that it may be considered under Section 55.55 of the Civil Code.

DAL-005

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PLAINTIFF: DEFENDANT:		
DEFENDANT'S APPLICATION PURSUANT TO CIVIL CODE SECTION 55.54 FOR <input type="checkbox"/> STAY AND EARLY EVALUATION CONFERENCE <input type="checkbox"/> JOINT INSPECTION		CASE NUMBER:

(Information about this application and filing instructions may be obtained at www.courts.ca.gov/selfhelp.htm.)

1. Defendant (name): _____ requests a stay of proceedings and early evaluation conference pursuant to Civil Code section 55.54.
2. The complaint in this case alleges a construction-related accessibility claim as defined under Civil Code section 55.52(a)(1).
3. The claim concerns a site that meets one of the following sets of requirements (All items in one of a, b, c, or d must be checked for the court to order a stay and early evaluation conference. Check a box if the statement is true.)
 - a. ☐ **CASp-Inspected Site**
 - (1) ☐ Site has been inspected by a Certified Access Specialist (CASp) and determined to be CASp inspected or CASp determination pending, and if CASp inspected, there have been no modifications completed or commenced since the date of inspection that may impact compliance with construction-related accessibility standards to the best of defendant's knowledge; and
 - (2) ☐ An inspection report by a Certified Access Specialist (CASp) relating to the site has been issued.
 - b. ☐ **New Construction**
 - (1) ☐ Site has had new construction or improvements on or after January 1, 2008, approved pursuant to the local building permit and inspection process;
 - (2) ☐ To the best of defendant's knowledge, there have been no modifications or alterations completed or commenced since that approval that impacted compliance with construction-related accessibility standards with respect to the plaintiff's claim; and
 - (3) ☐ All violations have been corrected, or will be corrected within 60 days of defendant's being served with the complaint.
 - c. ☐ **Small Business**
 - (1) ☐ Site is owned or occupied by a defendant that is a small business that has employed an average of 25 or fewer employees over the past three years and meets the gross receipts eligibility criteria provided in Civil Code section 55.56(2)(f);
 - (2) ☐ All violations have been corrected, or will be corrected within 30 days of being served with the complaint; and
 - (3) ☐ Evidence showing that all violations have been corrected (check one) ☐ is attached ☐ will be filed with the court within 10 days of the court order setting an early evaluation conference.
 - (4) I am filing the following with the court along with this application: (The documents should be filed separately attached to a Confidential Cover Sheet and Declaration (form DAL-006).)
 - ☐ Proof of the number of defendant's employees as shown by wage reports forms filed with the Employment Development Department over the past three years or for existence of the business if less than three years; and
 - ☐ Proof of defendant's average gross receipts as shown by federal or state tax documents for the three years before this application or for existence of the business if less than three years.

Page 1 of 2

DAL-005

PLAINTIFF:
DEFENDANT:

CASE NUMBER:

3. d. ☐ **Case Filed by High-Frequency Litigant**

- (1) ☐ Site is owned or occupied by a defendant that is a business.
- (2) ☐ The complaint was filed by, or on behalf of, a "high-frequency litigant," as defined in Code of Civil Procedure section 425.55(b), asserting a construction-related accessibility claim including, but not limited to, a claim brought under Civil Code section 51, 54, 54.1, or 55.
- (3) ☐ The complaint includes a statement that it was filed by or on behalf of a high-frequency litigant, or a statement in the caption that "action subject to the supplemental fee in Government Code section 70616.5."

4. Defendant requests that the court:

- a. Stay the proceedings relating to the construction-related accessibility claim.
- b. Schedule an early evaluation conference.
- c. Order defendant to:
- (1) File a confidential copy of the Certified Access Specialist (CASP) report with the court and serve a copy of the report on the plaintiff at least 15 days before the date of the early evaluation conference, which shall be kept confidential as set forth in Civil Code section 55.54(d)(4); or
- (2) File with the court and serve on plaintiff evidence showing correction of all violations within 10 days of completion of the correction or, if seeking relief as a small business, within 10 days after issuance of a court order granting a stay.
- d. Order plaintiff to file with the court and serve on defendants the statement required by Civil Code section 55.54(d)(6) at least 15 days before the date of the early evaluation conference.
- e. ☐ Order plaintiff and plaintiff's counsel, if any, to meet in person with defendant within 30 days, at the site that is the subject of this action, for a joint inspection to review any issues that plaintiff claims are a violation of construction-related accessibility standards.

Date:

(TYPE OR PRINT NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

DECLARATION OF DEFENDANT

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

1. Defendant(s) (Each defendant for whom this answer is filed must be named and must sign this answer unless his or her attorney signs):

2. Check ONLY ONE of the next three boxes, a, b, or c:

- ☐ Explanation is on Attachment 2c(2). (You may use form MC-025 for this purpose.)

a. ☐ Defendant is not liable because the facility is not open to the public.

b. ☐ Defendant is not liable because defendant's landlord is responsible for ensuring that some or all of the property leased by the defendant, including the areas at issue in the complaint, are accessible to the public. *(Give the name and contact information of defendant's landlord in item 4.)*

c. ☐ Other affirmative defenses. *(Specify and state facts in support in item 4.)*

DAL-002

PLAINTIFF: DEFENDANT:	CASE NUMBER:
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4. **FACTS SUPPORTING AFFIRMATIVE DEFENSES** (NOTE: For each box checked in item 3, you must state brief facts to support the defense. Include letters a, b, c, and d from item 3 to make clear which affirmative defense(s) you are supporting.)

☐ Supporting facts are on Attachment 4. (You may use form MC-025 for this purpose.)

5. ☐ A request for an early evaluation conference and to meet in person with plaintiff at the subject premises has been filed or is being filed concurrently with this answer, on Defendant's Application for Stay of Proceedings and Early Evaluation Conference, Joint Inspection (form DAL-005).
6. ☐ Defendant qualifies for reduced damages. (See Civ. Code, § 55.56(f)(1) or (2).)
7. Number of pages attached: _____

(Each defendant for whom this answer is filed must be named in item 1 and must sign this answer unless his or her attorney signs.)

_____ (TYPE OR PRINT NAME)	▶ _____ (SIGNATURE OF DEFENDANT OR ATTORNEY)
_____ (TYPE OR PRINT NAME)	▶ _____ (SIGNATURE OF DEFENDANT OR ATTORNEY)

VERIFICATION

(Use a different verification form if the verification is by an attorney or for a corporation or partnership.)

I am the defendant in this proceeding and have read this answer. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Date:

_____ (TYPE OR PRINT NAME)	▶ _____ (SIGNATURE OF DEFENDANT)
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